



## DEPARTMENT OF PUBLIC SAFETY LICENSING NEWSLETTER

### From the Supervisor's Desk

Training is one of the most important aspects of any job. Of course the same holds true in the security and private investigation fields. The quality of training provided is directly proportional to the quality of the work produced by an individual. If you fail to invest in your training programs, you can expect to have issues with your employees, your customers, and the general public.

A major issue surrounding training is liability. Whenever a police officer is involved in a critical incident, his/her training records are immediately obtained and scrutinized. Inadequate training on the agency's part can make an agency culpable as well.

In my previous assignment with the Department of Public Safety, I was a training coordinator. When I first came into the Licensing Unit, I noticed some areas in the training program for security guards that needed improvement. This was recently reaffirmed when the Licensing Unit investigator opened two separate investigations against companies for falsifying training documents and providing inadequate training. Additionally, I have received several inquiries from the private investigation industry about the lack of training requirements for private investigators.

The training issues for both industries need to be looked at closely and improved. I believe in working with the customers we serve and will be soliciting your input before moving forward.

In the meantime, be sure to take a look at the materials you are using for training and the methods you are using for delivery. If you need any suggestions or assistance, we are always willing to help out.

Until next time—be safe.

Sgt. Stephen Enteman

### P.I. Rules

The P.I. Final Rules have been submitted to the Governor's Regulatory Review Council (GRRC) and will be on the Council's December 7 agenda for final approval before filing with the Secretary of State's office. The proposed rules can be found on the Arizona Secretary of State's website.

### New Procedures In Effect

Reminder: we no longer automatically issue renewal licenses. The license is issued only after the criminal history background checks are successfully completed. To ensure an individual or agency has sufficient time to complete the renewal process prior to the expiration date, all applicants are encouraged to submit their renewal applications early. Renewals can be submitted up to sixty (60) days prior to expiration.

If a license expires before renewal, a licensee or registrant is prohibited from conducting any activity involving security or private investigation until their license is renewed (ARS § 32-2407 and 32-2607).

### Internet

#### **Calling all E-mail Addresses**

We would like to rapidly disseminate information to agencies via an e-mail distribution list. Please send your e-mail address to the Licensing Unit e-mail address:

[Licensing@dps.state.az.us](mailto:Licensing@dps.state.az.us)

#### **Application Form Available Online**

Our newest employee/associate application (one-sided form) is now available online at <http://www.dps.state.az.us> and is suitable for photocopying. Adobe Acrobat Reader is required to download the form. The Department of Public Safety site has a link to Adobe's website if you need it. Please *discontinue* using any old employee/associate application forms.

This new version has some changes which will assist Licensing Unit personnel with the data entry process. More forms will be available online in the future.

## Expediting Applications

The Licensing Unit is constantly looking for ways in which to speed up the time required to process applications. We address internal delays, but there are external areas that consistently cause delays. With your assistance in the following areas, we can eliminate some of the unnecessary delays in the licensing process.

- ***Liability Insurance and Workers' Compensation Insurance***

If an agency fails to maintain current liability insurance and/or workman's compensation, all applications from that agency are rejected until the policies are renewed and a current certificate is on file in the Licensing Unit. It is the Qualifying Party's (QP) responsibility to ensure compliance with this requirement. Failure to do so can also cause the QP and/or agency to face sanctions imposed by the Hearing Board.

- ***Fingerprints***

Fingerprint cards must be completely filled out including the signature of the person taking the prints. A missing signature will cause the entire application to be rejected. The signature of the fingerprint taker must be legible or his/her name must be printed next to their signature.

If your agency has an ongoing problem with rejected fingerprint cards, the Licensing Unit will be glad to provide training for any of your staff.

- ***Photos***

Occasionally, photographs become separated from the applications when submitted. You can assist us by writing the name of the applicant on the back of the photos before sending them in. Also, be sure the photos you are submitting are good quality headshots of the applicant. The head should be about the same size as a driver's license photo (1" X 1").

- ***Licensing Unit Address***

Unless applications are dropped off at the Department of Public Safety Headquarters building, the most direct way to submit them is to use the Department of Public Safety Licensing Unit mailing address. Please be sure to send your applications and correspondence to P.O. Box 6328, Phoenix, AZ 85005. Sending mail to any other Department of Public Safety address may cause an unnecessary delay in receiving and processing your paperwork.

## Security Guard

### ***May I Have Your Card Please?***

We are occasionally notified by an agency that they have terminated an employee for having committed a criminal offense. Sometimes the individual has been charged with a crime and other times he /she has not been. Regardless, the agency then notifies us that they have also seized the person's security guard card. Even though the company means well, there is no statutory requirement or allowance for a company to seize a card from a guard they are terminating.

An agency is required to notify the Department of Public Safety within 24 hours if one of their guards has been arrested or charged with a crime (ARS § 32-2642). When we receive your notice, the Licensing Unit investigator will look into the charge to see if it is a disqualifying offense. We can then determine whether or not we will set the matter before the Hearing Board. When outprocessing a terminated employee, you can assist us by ensuring the individual's address and contact information are current.

## Private Investigator

### ***Workers' Compensation***

All Private Investigation agencies that have employees are **required** to have a valid certificate of Workers' Compensation insurance on file with the Licensing Unit. It is the Qualifying Party's (QP) responsibility to ensure this certificate is kept current. Failure to maintain current insurance will cause a delay in licensing new employees and may result in disciplinary action.

### ***Identification Card Clarification***

Reporting requirements are different for the private investigation and security guard industries. Let's take a look at the P.I. requirements. If an individual terminates employment from a Private Investigation agency, the individual is required to relinquish his/her identification card to the employer. The QP or designee must then submit the card to the Department of Public Safety Licensing Unit within five business days. If the employee does not relinquish his/her card, the QP or designee must notify the Department of Public Safety within five days (ARS § 32-2443C).

## Hearing Board

### New Members

Two new members to the Private Investigator and Security Guard Hearing Board were recently appointed. They are Mr. Tom Vigilante, the owner and licensee of VSS Security Services, and Chief Andrew Kirkland, the interim chief of police for the Glendale Police Department. Mr. Vigilante fills the vacancy on the board for a security guard industry representative. Chief Kirkland fills one of the two vacancies for the law enforcement representative. We appreciate their willingness to participate in this vital part of the licensing regulatory process.

### Hearing Updates

Hearings were held on August 11 and September 22, 2004. The Board heard five cases involving the denial of licenses for Security Guards and Private Investigators. All of the denials were upheld by the Board. The September 22 hearing was a landmark date as this was the first time the Board heard a disciplinary case. A branch manager for a security guard agency was accused of falsifying training documents and providing inadequate training for the agency's armed guards. The Board agreed a violation had taken place; however, decided not to take any disciplinary action due to a notification protocol error by the Licensing Unit.

For a listing of violations that are grounds for disciplinary action please review ARS § 32-2457 and 32-2636.

## Kudos

**Mike Cook of Valor Security.** Mike maintains an excellent personnel filing system. His files are complete, accurate and well organized.

**Robert Dillon of Proguard Security** in Tucson. Robert was in possession of his security guard identification card and proudly displayed it when requested during a recent, random compliance check.

**Lorenzo Garcia of Loomis, Fargo & Company.** Lorenzo consistently submits timely and accurate New Hire, Termination, and Armed Roster reports.

## Investigations

### Fraudulent Training Documentation

There is an ongoing investigation into a security guard agency that submitted false training documents. The investigation also involves the company using unlicensed guards for security work.

### Tucson Conviction

The owner of a company who was cited for providing security guard services without an agency license was convicted and fined in a Tucson justice court.

### Compliance Checks

A major site compliance check of security guards for a Phoenix area event venue was conducted on August 21, 2004. A total of 104 checks were made resulting in 78 violations, some of them serious. A meeting was held with the agency QP and a letter of concern was issued to the company. A follow-up compliance check is scheduled in the near future.

This newsletter is a publication of the Licensing Unit of the Arizona Department of Public Safety.

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